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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/717,757	11/20/2003	Jeffrey S. Anderson	CM06392H	8796
22917	7590	05/17/2007		
MOTOROLA, INC. 1303 EAST ALGONQUIN ROAD IL01/3RD SCHAUMBURG, IL 60196			EXAMINER CHO, UN C	
			ART UNIT	PAPER NUMBER
			2617	
			NOTIFICATION DATE	DELIVERY MODE
			05/17/2007	ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

Docketing.Schaumburg@motorola.com  
APT099@motorola.com

<b>Office Action Summary</b>	Application No.	Applicant(s)	
	10/717,757	ANDERSON ET AL.	
	Examiner	Art Unit	
	Un C. Cho	2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 20 November 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3, 8-11, 19 and 20 is/are rejected.
- 7) ☒ Claim(s) 4-7 and 12-18 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 December 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1 – 3, 8, 11, 19 and 20 are rejected under 35 U.S.C. 102(e) as being anticipated by Montpetit (US 6,366,761 B1).

Regarding claim 1, Montpetit discloses at a subscriber unit (ground terminal may route the data to an end user (not shown) as well as the end user communicating via the ground terminal; Montpetit: Col. 4, lines 48 – 53); determining that there is information to transmit (Montpetit: Col. 10, lines 29 – 31); requesting an amount of bandwidth (Montpetit: Col. 10, lines 31 – 61); receiving a reservation grant, wherein the reservation grant comprises an amount of granted bandwidth and at least one timer value (Montpetit: col. 11, lines 4 – 27); extracting the at least one timer value from the reservation grant; and using the at least one timer value to detect loss of granted bandwidth (using the frame to determine whether bandwidth has been allocated or denied; Montpetit: Col. 11, lines 28 – 65).

Regarding claim 2, Montpetit discloses wherein the at least one timer value is dynamically determined by the fixed network equipment based on current conditions (Montpetit: col. 11, lines 28 – 60).

Regarding claim 3, Montpetit discloses wherein the at least one timer value is based on at least one of the following: current loading conditions of an inbound channel, current radio frequency conditions of the inbound channel, a quality of service requested by the subscriber unit, a quality of service assigned to the subscriber unit, a priority level requested by the subscriber unit, and a priority level assigned to the subscriber unit (priority levels (P1 – P4) assigned to the end user; Montpetit: Col. 5, line 62 through Col. 6, line 64).

Regarding claim 8, Montpetit discloses extracting a value representing an amount of bandwidth granted from the reservation grant; and initializing a counter with the value (counter; Montpetit: Col. 11, lines 28 – 65).

Regarding claim 11, Montpetit discloses receiving a request for bandwidth from a first subscriber unit (Montpetit: Col. 9, lines 65 through Col. 10, line 61); determining that the requested bandwidth is available (Montpetit: Col. 15, lines 16 – 34); dynamically determining at least a first timer value to be used by the first subscriber unit to detect a loss of granted bandwidth (Montpetit: Col. 11, lines 28 – 65); and transmitting a reservation grant to the subscriber unit granting the request wherein the reservation grant comprises at least the first timer value (Montpetit: Col. 11, lines 28 – 65).

Regarding claim 19, the claim is interpreted and rejected for the same reason as set forth in claim 3.

Regarding claim 20, Montpetit discloses the step of allocating inbound slots to the subscriber unit in a non-deterministic fashion (on demand; Montpetit: Col. 5, line 62 through Col. 6, line 64).

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 9 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Montpetit in view of Kou (US 5,172,375).

Regarding claim 9, Montpetit as applied above does not specifically disclose the step of decrementing the counter after receipt of each slot assignment bit. In an analogous art, Kou remedies the deficiencies of Montpetit by disclosing such limitation in Col. 14, lines 23 – 45. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the technique of Kou to the system of Montpetit in order to provide a multiple access satellite communication system which can accommodate terminals different in the frequency of data generation and in the amount of data

generation per transmission by combining the combined random and demand access method and the fixed assignment access method.

Regarding claim 10, Montpetit in view of Kou as applied above discloses the step of concluding that the reservation grant is completed when the counter is decremented to zero (Kou: Col. 14, lines 23 – 45).

***Allowable Subject Matter***

5. The following is a statement of reasons for the indication of allowable subject matter:

Regarding claim 4, Montpetit, Kou, Choi and Rimhagen either alone or in combination fails to disclose starting a first timer, wherein the first timer is initialized with the first timer value; and when a slot allocation bit is not received prior to the expiration of the first timer, determining a loss of granted bandwidth.

Regarding claim 12, Montpetit, Kou, Choi and Rimhagen either alone or in combination fails to disclose the step of dynamically determining a second timer value to be used by the first subscriber unit indicating an amount of time the first subscriber unit must wait to receive a first slot assignment bit before the first subscriber unit determines a loss of granted bandwidth.

Regarding claim 17, Montpetit, Kou, Choi and Rimhagen either alone or in combination fails to disclose starting a first timer, wherein the first timer is set to expire after a first amount of time, and wherein the first amount of time is dependent on the first timer value; and if a slot assignment bit can be assigned to

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the subscriber unit prior to expiration of the first timer, transmitting a slot assignment bit to the subscriber unit prior to the expiration of the first timer; otherwise, failing the reservation grant.

6. Claims 4 – 7 and 12 –18 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

### ***Conclusion***

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Choi et al. (US 2003/0195965 A1) discloses data communication method using resource reservation.

Rimhagen et al. (US 6,594,245 B1) discloses a method and system for enabling a remote communication station to engage multiple communication stations.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Un C. Cho whose telephone number is (571) 272-7919. The examiner can normally be reached on M ~ F 8:00AM to 4:30PM.

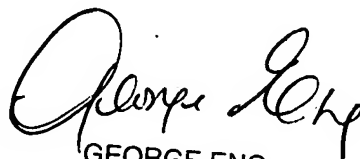
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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, George Eng can be reached on (571) 272-7495. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Un C Cho  
Examiner  
Art Unit 2617

5/10/07 *UC*

  
GEORGE ENG  
SUPERVISORY PATENT EXAMINER